



FREDERICK COUNTY PLANNING COMMISSION

Division of Planning & Permitting

30 North Market Street

Frederick, Maryland 21701

(301) 600-1138

FcPc Transmittal Memorandum

To: County Council

FROM: Frederick County Planning Commission

THROUGH: Steve Horn, Division Director

DATE: April 4, 2022

RE: Knowledge Farms MXD Rezoning – R-21-02

The Planning Commission held a public hearing on March 16, 2022 to consider the application from Knowledge Farms Partners LLC to rezone 34.99 acres from Office/Research/Industrial (ORI) to Mixed Use Development (MXD) in order to accommodate proposed land use mixture of residential, employment, commercial, and institutional land uses.

The Commission voted on the following recommendation to the County Council:

It was moved by Mr. White to recommend APPROVAL of the application as presented by the Applicant and with Conditions as stated in the Staff Report. The Motion was amended by Ms. Sepe to: 1) clarify that the 225 DU limitation on residential units would not apply to institutional uses; 2) correct the reference to the project/application name in the second condition; and, 3) add a third condition regarding the location of certain uses adjacent to the Woodlands community boundary. These amendments were accepted by Mr. White. The Amended Motion was then seconded by Ms. Sepe.

Vote: 4 – 1 – 0 – 1
For: Bowie, Sepe, Tressler, White
Against: Hicks
Abstain:
Absent: Rensberger

The Commission's recommendation of APPROVAL of the Application by the County Council included the following recommended Conditions:

The Planning Commission recommends that the County Council place the following conditions on any approval of the proposed rezoning:

1. The Applicant shall develop no more than 225 age-restricted dwellings on the Subject Site.

2. Covenants shall restrict 100% of the dwelling units in the Knowledge Farms MXD (R-21-02) project to be age-restricted per the Federal Fair Housing Act and the Housing for Older Persons Act of 1995. There shall be a further limitation on the minimum age of permanent residents being 19 years of age. These covenants shall be recorded prior to the recording of the first subdivision plat. The covenants shall be recorded and made part of the title for each dwelling unit. Every property owner within the age-restricted development (and HOA) shall be beneficiaries of the covenants with the ability to enforce them through administrative or judicial proceedings. These covenants are to be reviewed by the County Attorney's Office to ensure that the MXD zoning district is invalid if these covenants are not recorded and do not restrict age as proffered in a binding and enforceable manner. The required biannual federal surveys (24 cfr 100.307) shall be made available to the County for its review and records.
3. Any residential uses, or uses accessory to residential uses, approved as a part of this rezoning application, should be located adjacent to the boundary with the Woodlands at Urbana.